GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

CA,F&CS Department - NATIONAL FOOD SECURITY ACT, 2013 – Constitution of State Food Commission - Notification – Orders - Issued.

CONSUMER AFFAIRS, FOOD AND CIVIL SUPPLIES (CS.I) DEPARTMENT

G.O.MS.No. 6 **Dated: 12-04-2017**
Read the following:-

1. The National Food Security Act, 2013 (Central Act No. 20 of 2013)
2. G.O.Ms.No.4 C.A. F & C.S.(CS I) Dept. dtd:31-3-2015.
3. G.O.Ms.No.16 C.A. F. & C.S. (CS I) Dept. Dtd:06-7-2015

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ORDER :

The appended notification will be published in English, Telugu and Urdu languages in the Extraordinary issue of Andhra Pradesh Gazette and in English and the chief languages of the District concerned in the Gazette of all the District in the State.

2. The Director of Translation, Vijayawada is requested to furnish forthwith the translation of the notification into the regional languages concerned to the Director of Printing, Stationary and Stores Purchase, Vijayawada to enable him to publish the same in the Andhra Pradesh Gazette and also in the District Gazette under intimation to the Government.

3. The Director of Printing, Stationary and Stores Purchase (Printing Wing), Andhra Pradesh, Vijayawada is requested to publish the notification in the Extraordinary issue of the Andhra Pradesh Gazette. He is also requested to send 200 copies of the Gazette notification to the Government, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR,
EX. OFFICIO PRINCIPAL SECRETARY TO GOVT.

To
The Director of Printing, Stationery & Stores Purchase (Printing Wing) Vijayawada for publication of the Notification in an extraordinary issue of A.P. Gazette DT.15/04/2017.
The Commissioner of Civil Supplies, Andhra Pradesh, Vijayawada.
The Director of Civil Supplies, Andhra Pradesh, Vijayawada
The Controller, Legal Metrology, Andhra Pradesh, Vijayawada
The Vice Chairman & Managing Director, A.P. State Civil Supplies Corporation Limited, Hyderabad.
All District Collectors in the State of Andhra Pradesh.
The Director of Translation, Andhra Pradesh,Vijayawada.
The Secretary to the Chief Minister, Andhra Pradesh, Secretariat at Velagapudi.
The P.S. to Minister for Food & Civil Supplies, Andhra Pradesh, Velagapudi.
The P.S. to Chief Secretary to Govt., A.P. Secretariat, Velagapudi
Copy to
The Secretary to GOI, Dept. of Food & Public Distribution, New Delhi.
The Law (B) Department,
Sf/sc

// forwarded by order //

SECTION OFFICER.

NOTIFICATION

In exercise of the powers conferred by Sub Section 1 of Section 16 of the National Food Security Act, 2013 (Central Act No. 20 of 2013), the Governor of Andhra Pradesh hereby ordered to constitute the State Food Commission for the purpose of monitoring and review of implementation of the Act as indicated in the Annexure.

B.RAJSEKHAR,
EX.OFFICIO PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE

The Andhra Pradesh State Food Commission

For the purpose of monitoring and review of implementation of the National Food Security Act, the Andhra Pradesh State Food Commission is here by constituted as per Section 16 of the National Food Security Act, 2013 as indicated below :

1) one Chairperson,
2) five (5) members and
3) one member-secretary.

Eligibility Crieteria :

Sl.No.	Designation	Eligibility
1	Chairperson	All India Services (**or)** any other civil services of the Union or State (**or)** holding a civil post under the Union or State having knowledge and experience in matters relating to : food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; (**or)** of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy, public administration; (**or)** Proven record of work relating to the improvement of the food and nutrition rights of the poor.
2	Five other Members	
3	Member-Secretary	An officer of the State Government not below the rank of Joint Secretary.

Preferences : 1) At least two women, whether Chairperson, Member or Member-Secretary:
2) One person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson, Member or Member-Secretary.
3) One member belonging to Backward Classes

Selection :

The process of selection shall be initiated by the State Government immediately from the date of coming into force of these rules in the first instance and three months prior to the completion of tenure of the existing Chairperson or Member, as the case may be and shall be concluded within three months.

The Chairperson or any Member may, by notice in writing under his/her hand addressed to the Governor of the State, resign from the office.

The Chairperson and every other member shall hold office for a term not exceeding five year from the date on which he / she enters the office and shall be eligible for reappointment.

Provided that no person shall hold office as the Chairperson or Member after he / she has attained the age of sixty five years.

State Government may remove from the office the Chairperson or any Member on the reasons as indicated the Act, 2013.

Pay and allowances : Pay and allowances payable to and other terms and conditions of service of the Chairperson are the same as that of the State Chief Information Commissioner of Andhra Pradesh State Information Commission .

Pay and allowances and other terms and conditions of service of the Members are the same as that of a State Information Commissioners of the Andhra Pradesh State Information Commission.

Provided that if the Chairperson or a Member, at the time of his/her appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government of a State, his/her salary in respect of the service as the Chairperson or Member shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity;

Provided further that where the Chairperson or Member if, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government company owner or controlled by the Central Government or the State Government, his/her salary in respect of the service as the Chairperson or Member shall be reduced by the amount of pension equivalent to the retirement benefits;

Provided also that the salaries, allowances and other conditions of service of the Chairperson or Member shall not be varied to their disadvantage after their appointment.

Administrative Staff : The Commission may be provided with not less than following administrative and technical staff for proper functioning of the State commission :

(i) One officer whether working or retired of the cadre of Deputy Director (CS) Dy.Collector/Assistant Secretary

(ii) One Administrative Officer

(iii) One Accounts officer

(iv) One Accountant

(vi) Support staff like drivers, DTP operators and other office staff.

Immediate required staff may be taken from the Civil Supplies dept and other departments on deputation basis.

Budget : The immediate required budget may be met from the budget provision of Civil Supplies department for 2017-18 and proposal may be submitted for additional grants.

Place of office : The VC & MD, APSCSCL may arrange temporary office building and other infrastructure, immediately required.

Working hours : As per the general working hours as ordered by State Govt.

Functions of the State Food Commission.

a. Monitor and evaluate the implementation of the Act.
b. Either ***suo motu*** or on receipt of complaint inquire into violations of entitlements provided under the Act
c. Give advice to State Govt. on effective implementation of the Act;

d. Give advice to the State Government, their agencies, autonomous bodies as well as non-governmental organisations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in the Act;

e. Hear appeals against orders of the District Grievance Redressal Officer. The appeal should lie within 30 days from the date on which the decision should have been made by or was actually received from the office of DGRO.

f. Prepare annual reports and be laid before the State Legislature.

g. The State Food Commission should meet periodically, at least once in a month

h. The State Commission should, while inquiring into any matter referred to in (*b*) and (*e*), have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908, and, in particular, in respect of the following matters, namely:—

    1) summoning and enforcing the attendance of any person and examining him on oath;
    2) discovery and production of any document;
    3) receiving evidence on affidavits;
    4) requisitioning any public record or copy thereof from any court or office; and
    5) issuing commission for the examination of witnesses or documents.

i. The State Food Commission should have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

j. While making a decision on the appeal or the complaint, the State Food Commission has the power to require the DGRO or any officer responsible for providing any of the following entitlement, to comply with the Provisions of the National Food Security Act 2013.

    (i) Issue of ration cards or eligibility cards upon satisfying the eligibility criteria

    (ii) Right to receive food grains at subsidised prices by persons belonging to eligible households under TPDS or ANTYODAYA ANNA YOJANA

    (iii) Nutritional support to pregnant women and lactating mothers

    (iv) Nutritional support to Children

    (v) Prevention and management of Child malnutrition

    (vi) Implementation of various schemes for realisation of entitlements under the Act

    (vii) Payment of Food Security Allowance

k. The quorum for the meeting of the Commission shall be four members.
l. In case of a difference of opinion among the members of the Commission, opinion of the majority member should be considered. Each member of the Commission should have one vote only.
m. All decisions, directions and orders of the Commission should be in writing with supporting reasons.
n. In case the complaint is not redressed by the District Grievance Redressal Officer, any complainant may approach State Food Commission by him/her self directly, in matters relating to distribution of entitled food grains or meals or other cash entitlements or Food Security Allowance as per the Act.
o. The Commission shall at least once in a month in its head quarters or at its office.

B.RAJSEKHAR,
EX.OFFICIO PRINCIPAL SECRETARY TO GOVERNMENT